

Message Text

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PAGE 01 TANANA 00183 121520Z

43

ACTION L-03

INFO OCT-01 AF-05 ISO-00 SCA-01 JUSE-00 DRC-01 RSC-01 SY-10

CPR-02 /024 W

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R 121345Z FEB 74

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC 5999

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E. O. 11652: N/A

TAGS: AFIN, APER, MA

SUBJ: CIVIL SUIT AND CRIMINAL PROSECUTION AGAINST LOCAL EMPL-
OYEE ANTOINE RANDRIANASOLO

REFS: A) TANANARIVE A-13, 05FEB; B) STATE 008656

1. IN FURTHER PURSUIT QUESTION OF DIP IMMUNITY POSED IN PROSECUTION RANDRIANASOLO (PARA 4, REF A), EMBASSY WAS ADVISED BY ATTORNEY RADILOFE 07FEB THAT THERE "ABSOLUTELY" NO DOUBT OF TOTAL AND COMPLETE IMMUNITY ON PART OF BOTH USGOVT AND EMPLOYEES THEREOF, EITHER AT PRESENT OR IN FUTURE COURT ACTION RELATED TO THIS CASE. RADILOFE STATED REASON FOR PHRASEOLOGY PARA 4 HIS MEMORANDUM WAS TO EXPRESS FACT THAT EMBASSY, IN HAVING CONTACTED POLICE FOLLOWING DISCOVERY OF EMBEZZLEMENT, DID, IN EFFECT, RENOUNCE ITS IMMUNITY. HOWEVER, SUCH RENUNCIATION ONLY APPLIES TO VOLUNTARY ACT OF INSTITUTING CHARGES AGAINST RANDRIANASOLO BY NOTIFICATION OF POLICE.

2. SOMEWHAT SURPRISINGLY, EMBASSY WAS CONTACTED BY AN EXAMINING MAGISTRATE ("JUGE D'INSTRUCTION") ON 06FEB AND ADVISED FILE ON RANDRIANASOLO HAD JUST BEEN RECEIVED FROM THE PROCUREUR GENERAL'S OFFICE; HE REQUESTED MEETING WITH EMBASSY REP TO REVIEW CASE. EMBASSY ADMIN OFF MET WITH HIM 08FEB. MAGISTRATE ASKED IF EMBASSY WAS STILL INTERESTED IN HAVING LOCAL AUTHORITIES PURSUE CAPTURE OF RANDRIANASOLO, WHICH WAS ANSWERED AFFIRMATIVELY. THE EXAMINING MAGISTRATE ADVISED THAT HIS HAVING RECEIVED FILE

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PAGE 02 TANANA 00183 121520Z

WILL ALLOW INCREASED PRESSURE TO BE PUT UPON POLICE IN CAPTURE

OF RANDRIANASOLO.

3. ACTION ON PART OF PROCUREUR GENERAL'S OFFICE STEMS APPARENTLY FROM COMMENTS WHICH HAD BEEN "DROPPED" BY ATTORNEY RADILOFE TO HIS LEGAL COLLEAGUES INDICATING THAT JUSTICE APPEARED TO MOVE SLOWLY IN RANDRIANASOLO CASE. RADILOFE WAS NOT SURPRISED WHEN INFORMED BY EMBOFF THAT ACTION HAD BEEN INITIATED BY PROCUREUR GENERAL. HE AGAIN INDICATED CHANCE OF RECOVERY ANY OF EMBEZZLED FUNDS REMAINS SMALL. RADILOFE ADVISED EMBOFF INFO REQUESTED BY EXAMINING MAGISTRATE WAS MERELY TO SUPPLEMENT FILE ON RANDRIANASOLO AND SHOULD NOT BE CONSIDERED AS FORMAL COURT ACTION BEING TAKEN ON PART OF EMBASSY.
MENDENHALL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 12 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974TANANA00183
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: TANANARIVE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740237/aaaabjfv.tel
Line Count: 74
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: A) TANANARIVE A-13, 05FEB; B) STATE, 008656
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 03 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 SEP 2002 by boyleja>; APPROVED <03-Sep-2002 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVIL SUIT AND CRIMINAL PROSECUTION AGAINST LOCAL EMPL- OYEE ANTOINE RANDRIANASOLO
TAGS: AFIN, APER, MA
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005